

## DEPARTMENT OF HEALTH SERVICES

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Date Issued: June 7, 1996  
CMSP Letter: 96-10

To: All County Medical Services Program (CMSP) County Welfare Directors

Subject: SAWYER/TINOCO LAWSUITS

This letter is in response to inquiries from several CMSP Counties regarding the Sawyer and Tinoco lawsuits and their related settlements. In June 1995, the Governing Board for the CMSP, not a named party in the referenced lawsuits, decided to adopt the prospective procedures established by the Medi-Cal Program as it implemented the changes made as a result of these lawsuits. Accordingly, CMSP counties should implement the Medi-Cal procedures in CMSP cases when the above are implemented in the Medi-Cal Program. Counties should note that while the Medi-Cal implementation includes provisions for retroactive adjustments, the longstanding CMSP policy regarding adoption of lawsuit linked Medi-Cal procedures allows only for prospective application.

A careful review of the Medi-Cal procedures suggests that these changes (consideration of temporary workers' benefits as earned income rather than unearned income) should have minimal application in the CMSP. If you have any questions regarding this letter, please contact Ms. Paulette Quam, of my staff, by telephone at (916) 322-1613 or by FAX at (916) 323-3350. Thank you for your attention to this matter.

Sincerely,

*Paulette Quam*

Jim Martinez, Chief *for*  
County Medical Services Program

cc: Paulette Quam  
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